	Litchfield Planning Board April 6, 2010
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3	Litchfield Planning Board
4	April 6, 2010
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6	Minutes Approved 5/4/10
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8	Members present:
9	Alison Douglas, Chairman
10	Edward Almeida, Vice Chairman
11	Leon Barry
12	Carlos Fuertes
13	Frank Byron, Selectmen's Representative
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15	Members not present:
16 17	John Miller, Alternate Jayson Brennen
18	Jayson Brennen
19	Also present:
20	Joan McKibben, Administrative Assistant
21	Steve Wagner, Nashua Regional Planning Commission, Circuit Rider
22	Steve Wagner, Pashaa Regionar Flamming Commission, Chean Rider
23	AGENDA
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25	1. GRACE FREE PRESBYTERIAN CHURCH - Addition to Existing Church
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27	2. WORKFORCE HOUSING
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29	3. BLOSSOM COURT - Posting Bond
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31	4. PINECREEK SUBDIVISION - Stump dump
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33	ANY OTHER BUSINESS
34	- DeBlois Living Trust
35	Impact Fee Study
36	- Correspondence
37	- Minutes
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39	Chairman Douglas called the meeting to order at 7:08 p.m.
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41	1. Grace Free Presbyterian Church
42	Destan Devid McClelland and Clareda Cantillaness (A. 11) (A. 11)
43 44	Pastor David McClelland and Claude Gentilhomme (Architect) came before the Board to
44 15	discuss the application. The engineer SFC could not be present this evening. Applicant

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proposes a 6,623 sq. ft. addition to an existing church and demolition of an existing single family house. The parcel is in the Northern Commercial zone. Chairman Alison Douglas read a

letter from David Jordan (SFC engineer) requesting a continuance of the site plan to May

4, 2010. All abutters have been notified, fees paid and the Board has received the signed application. Mr. Claude Gentilhomme said that he would try to answer questions regarding the building but he may not be able to answer specific items.

Items for consideration for application acceptance: 1. Consider Conditional Use Permit. 2. Traffic Impact Study waiver. 3. Soils specific waiver.

Mr. Steve Wagner: Because the site is in the aquifer protection district there is a limit of 15% of impervious surface area coverage. It can be amended under a conditional use permit to grant a greater area of coverage and they submitted a conditional use permit to go to 30% coverage. Once the waivers are approved and receipt of the conditional use permit, the application would be complete.

The applicant is scheduled to go before the Conservation Commission, as a requirement so the conditional use permit could not be approved this evening, only accepted. This was discussed. The issue is that the Planning Board meeting is May 4th and the Conservation meeting is May 6th. The Board reviewed Section 1255.01. The applicant is required to go to the Conservation because they are in the aquifer district regardless whether there is a conditional use permit or not. As long as the CUP is submitted, the Board does not have to act on it tonight and wait for the comments from the Conservation Commission.

Mr. Wagner explained the purpose of a Conditional Use Permit to those present. That it is similar to a special exception, a requirement and a set of conditions that have to be met to be granted. In this case it allows a larger area of impervious coverage 15% in residential and they need 30% to build the addition. The Board is in receipt of a letter from SFC Engineering dated March 19, 2010, regarding the Conditional Use Permit in conjunction with the application that states after construction of the addition and related site improvements, this lot will have 30% impervious coverage. Talk ensued. The Conditional Use Permit request is noted as part of the application acceptance but it is not granted; it will be acted on it at a later date.

Chairman Douglas opened the meeting to public comment on the CUP.

Abutter Frank Ferreira asked about the 15% versus 30% impervious coverage requested and questioned what would be the impact to the neighbors. Mr. Wagner: If this were not in the aquifer protection district, they would be allowed 60% coverage. They are asking for the standard requirement but the fact that it is in the aquifer, 95% of the Town is in the aquifer protection, and so they would require the same conditional use permit.

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Mr. Wagner went on to explain what the aquifer protection district is all about. Mr. Wagner: There were studies of stratified drift bedrock aquifers and they came up with a map that shows the whole southern part of NH and where the aquifers are located and the capability of the aquifer to recharge and water to move through the soils...and what you are trying to do is to protect from covering the surface so the aquifer cannot

recharge properly and to avoid contaminants from getting into the aquifer. This being an existing church and they are only building a structure, I do not believe there is more driveway being paved. That is the limit of their impact and the Conservation Commission will make a determination and get back to the Planning Board.

Chairman Douglas closed public comment.

WAIVERS

Traffic Impact Study Waiver - Chairman Douglas read a letter from SFC Engineer dated April 1, 2010. The letter states that the addition is to provide space as the parish continues to grow as it has over the past several years. There will be no change to the hours or number of services or events held so they expect no discernable difference to the existing traffic patterns or number of vehicle trips. They have provided a Trip Generation memo dated February 24, 2010. This was discussed. The addition is a new sanctuary to provide for better seating.

There is only one way in and one way out onto Colby Road so there will be no exit/entrance on Robert's Road. It was asked if a traffic study is actually needed. Mr. Wagner did not believe it is needed because they are only talking 30 to 40 cars and that is not significant to warrant a study. Mr. Barry expressed his concern with the growth and questioned if there would be a problem later on should another road be put in and how would that affect the aquifer. Mr. Wagner replied that if we were to say they needed one that would cause a problem. The existing driveway appears to be adequate the fact it opens on Colby Road. It was asked what the advantage would be having a traffic study done. Mr. Wagner responded to say that you would make sure you did not cross some threshold that created a change in service in the road. You would not want traffic backing up and people passing in the other direction and also it would determine whether you would need a turning lane. If it was a brand new facility, you would want a study...it is up to the Board.

Mr. Almeida asked what is the total occupancy of the church. It was said at present it is 200 seats and would be 264 seats with the sanctuary. Applicant explained that the church is not going to be having a full service and a fellowship service would not be going on at the same time because it would be the same people participating in both events. Right now, they have one big room that they use for both. Talk ensued. It was further explained that the church has not grown a lot and does not expect to increase a lot over night. Mr. Gentilhomme told the Board if the church grows significantly, it would have to move on to another site.

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Chairman Douglas opened the meeting to public comment on the Traffic Study. There was no comment. Chairman closed public comment session.

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A memo from the Police, Fire and Building was reviewed. Chief O'Brion foresees no

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problem with traffic as proposed. It was noted that the plan does provide traffic patterns, internal patterns, etc. Mr. Wagner recommended granting the waiver.

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Mr. Barry **MOTIONED** to grant the traffic impact study waiver Section 120.1 a. Mr. Byron seconded. Motion carried 5-0-0.

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Site Specific Waiver - A letter from SFC Engineering dated March 19, 2010 was read. Applicant is requesting a waiver from providing on-site mapping by a certified soil scientist since this is a developed site. The letter states that the soils information they have is adequate to demonstrate the suitability of the site for this addition and to save the church from this additional expense.

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Chairman Douglas opened the meeting to public comment. There was no public comment. Chairman closed public comment session.

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Mr. Byron **MOTIONED** that the Planning Board grants Grace Free Presbyterian Church the requested waiver 150.7m of the soils specific regulations. Mr. Barry seconded. Motion carried 5-0-0.

Mr. Wagner explained the process for application acceptance mainly that the paperwork

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is in order to accept the application. The Conditional Use Permit will be approved later.

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Chairman Douglas opened the meeting to public comment. There was no comment. Public comment session closed.

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Application Acceptance - Mr. Barry MOTIONED to accept the application for Grace Free Presbyterian Church. Mr. Byron seconded. Motion carried 5-0-0.

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Continuance - Chairman Douglas announced that the site plan approval is continued to May 4, 2010. The abutter was told there would not be another notice mailed to him but rather notice to continue would be made from meeting to meeting with a time and date certain. The Board will do a site walk after the May 4th meeting. Mr. Byron

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- **MOTIONED** that the Planning Board will continue the application of Grace Free 39
- 40 Presbyterian Church on May 4, 2010, at 7:00 p.m. at the Town Hall Meeting Room. Mr.
- 41 Fuertes seconded. Motion carried 5-0-0. At 8:10 p.m. the applicants left the meeting.

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2. WORKFORCE HOUSING - Mrs. McKibben talked about a team of developers, et al, working together to develop a potential subdivision for workforce housing and what it might look like. Even though the voters did not pass the ordinance, the team still wants to

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go ahead with doing it on paper.

3. BLOSSOM COURT SUBDIVISION

Mrs. McKibben talked about an issue with the road, Arbor Circle, and Attorney Buckley has been working on retrieving the bond in the amount of \$49,344 from the insurance company. Lou Caron and Kevin Lynch conducted a site visit to assess the roadway and general site conditions. Lou Caron's letter was sent to Attorney Buckley to help in retrieving the insurance bond. Attorney Buckley's letter of 3/29/10 to Attorney Keating, Broadland Financial Group, LLC and Attorney Cliff Gallant was reviewed. An answer is due by May 1, 2010 to Attorney Buckley from the bonding company.

4. PINECREEK SUBDIVISION

Mr. Kevin Lynch came forward to ask permission for a stump dump to be located on the lots along Route 3A approved for single-family residences as part of the approved Pinecreek Subdivision. The approved plan states no stumps are to be buried on site. Mr. Byron pointed out that it is an approved registered subdivision that states no stumps to be buried. Any changes to the plan would need to come before the Planning Board as an amendment and the abutters would have to be notified. Mr. Lynch will inform the developer.

ANY OTHER BUSINESS

DeBlois Living Trust - Mrs. McKibben informed the Board that she had met with the surveyor for the horse farm at the north end of town. The plan is to come before the Board on May 4, 2010, for a one lot into two-lot plan. The ordinance requires \$5,000 escrow fee and they are requesting a lower amount. Lou Caron said that he would look at it and there probably wouldn't be a charge because it is on an approved road. The charge would be Mr. Wagner's time and secretarial expenses. This was discussed. Mr. Barry suggested \$2,000 for the escrow amount. Mrs. Douglas **MOTIONED** to reduce the escrow fee for the DeBlois Living Trust, Map 22, Lot 14 from \$5,000 to \$2,000 with all conditions remaining in force. If it drops down to 50%, it has to be replenished to maintain the \$2,000 escrow until the subdivision is completed. Mr. Barry seconded. Motion carried 5-0-0.

Impact Fee Study - Chairman Douglas has reviewed the study and finds it a bit confusing. There are two ordinances for impact fees, Section 1300 and 1400, and Mr. Mayberry (author of the impact fee study) recommends combining them into one ordinance. If the ordinances were merged, it would have to go before the voters. Mr. Wagner does not see a particular purpose in combining the two ordinances. He suggested providing each member with the 2000 memo from Dave Gilmore as to methodology of fees. In some cases we are overcharging impact fees and some we are not charging enough. There is a discrepancy between the original methodology for recreation versus what is in the Master Plan and this needs to be reconciled. Mr. Wagner said that Mr. Mayberry talks about the limit of so many households being charges an impact fee and

44 45 **April 6, 2010**

1 2 the Board might want to change that. Also, consider including fees to include the Middle 3 School. Mr. Wagner explained that fees are based on the Master Plan and certain other requirements. Talk ensued about possible impact fee refunds. All in all, Mr. Wagner will 4 5 contact Attorney Buckley as to the implications of the Bruce Mayberry impact study and 6 Chairman Douglas will do a comparison of the two zoning sections, sections 1300 and 7 1400. Mr. Byron: You can change how you collect the fees or how you assign the fees simply through changes approved by the Planning Board. The next work session is April 8 9 20, 2010. A copy of the Capital Improvement Plan and the 2000 report will be provided 10 to the members. 11 12 3/16/2010 Minutes - Mr. Barry MOTIONED to accept the minutes as amended. Mr. 13 Byron seconded. Motion carried 4-0-1. 14 15 Annual Planning & Zoning Conference - May 8, 2010 in Nashua, members can 16 register on line. Mrs. McKibben will forward the members the information. 17 18 **Rolling Acres IV** - Mrs. McKibben sent the certified letter to the applicant and the 19 attorney on Saturday requesting attendance at a Hearing on April 20, 2010. 20 21 Member Non-reappointment - Mr. Marc Ducharme, member, term expired in March 22 and he will not be reappointed at his request. He may be relocating. The Board will need 23 to advertise for another member and appoint a full member. 24 25 **Cell Tower -** There will be a public hearing on April 8, 2010, that applicant is to replace 26 100 feet with 150 feet of free standing lattice tower on Tower Hill Road. 27 28 **Re-appointment** - Mr. Barry provided a letter to the Board requesting his reappointment 29 to the Board. Mrs. Douglas **MOTIONED** that we accept Leon Barry's request to be 30 reinstated to the Planning Board and pass it on to the Board of Selectmen. Mr. Almeida 31 seconded. Motion carried 4-0-1. 32 33 There being no further business, Mrs. Douglas **MOTIONED** to adjourn the meeting. Mr. 34 Barry seconded. Motion carried 5-0-0. The meeting adjourned at 9:35 p.m. 35 36 37 Alison Douglas, Chairman 38 39 40 Edward Almeida, Vice Chairman 41 42 43 Leon Barry

April 6, 2010 Litchfield Planning Board Carlos Fuertes 2 3 4 Jayson Brennen Frank Byron, Selectmen's Rep. Lorraine Dogopoulos Recording Secretary